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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

STATE OF CALIFORNIA, *et al.*,

Plaintiffs,

v.

WILBUR L. ROSS, JR., *et al.*,

Defendants.

Civil Action No. 3:18-cv-01865-RS

**STIPULATION REGARDING  
BRIEFING SCHEDULE AND EXCESS  
PAGES FOR DEFENDANTS' MOTION  
TO DISMISS; [PROPOSED] ORDER**

Dept: 3  
Judge: Hon. Richard Seeborg  
Trial Date: None Set  
Action Filed: April 17, 2018

IT IS HEREBY STIPULATED by and between Plaintiffs State of California, County of Los Angeles, and the Cities of Los Angeles, Fremont, Long Beach, Oakland, and Stockton (collectively, "Plaintiffs") and Defendants Wilbur L. Ross, Jr., Secretary of Commerce, the U.S. Department of Commerce, Ron Jarmin, performing the nonexclusive functions and duties of Director, U.S. Census Bureau, and the U.S. Census Bureau (collectively, "Defendants"), as follows:

1. As Defendants' response to the First Amended Complaint [Dkt. No. 12] in this matter, Defendants will file a motion to dismiss pursuant to Federal Rules of Civil Procedure

12(b)(1) and 12(b)(6) (“Motion”) on June 21, 2018. Defendants will notice their Motion for August 9, 2018.

2. Plaintiffs will file their opposition to Defendants’ Motion on July 17, 2018.

3. Defendants will file their reply in further support of their Motion on July 26, 2018.

4. This case presents issues of constitutional law and statutory interpretation, and Defendants’ Motion will present several substantial arguments that this case should be dismissed on threshold justiciability grounds. A modest page extension will permit the Parties to fully explain the pertinent historical background and legal issues presented in this matter. Accordingly, the Parties stipulate and hereby jointly ask the Court to grant 35 pages for Defendants’ opening brief and Plaintiffs’ opposition brief, and 15 pages for Defendants’ reply brief.

**IT IS SO STIPULATED.**

Dated: June 18, 2018

Respectfully submitted,

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**FILER'S ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, I hereby attest that concurrence in the filing of this document has been obtained from all signatories above.

Dated: June 18, 2018

s/ Kate Bailey  
Kate Bailey

**[PROPOSED] ORDER**

Based on the Parties' STIPULATION REGARDING BRIEFING SCHEDULE AND EXCESS PAGES FOR DEFENDANTS' MOTION TO DISMISS, the schedule and page limits for Defendants' Motion to Dismiss shall be as follows:

- Defendants shall file their motion to dismiss, with a memorandum of 35 pages or less, by June 21, 2018;
- Plaintiffs shall file their opposing memorandum of 35 pages or less, by July 17, 2018;
- Defendants shall file their reply memorandum of 15 pages or less, by July 26, 2018;
- Defendants shall notice the hearing on their Motion for August 9, 2018, at 1:30 p.m.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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HON. RICHARD SEEBORG  
United States District Judge